

ONE HUNDRED THIRD LEGISLATURE

FIRST SESSION

LEGISLATIVE RESOLUTION 183

Introduced by Larson, 40.

PURPOSE: The purpose of this resolution is to study Nebraska's drainage statutes as they apply to drainage by neighboring landowners under section 31-201 and other related statutes. While much of the law governing landowner drainage disputes has been developed by the Nebraska courts, statutory drainage laws also play an important role in these matters. Statutes relating to drainage by neighboring landowners were passed in 1911 and have not seen any statutory changes made to them since that time. This study shall evaluate and determine the adequacy and effectiveness of the current statutory scheme and examine the potential for improvements, including the costs and benefits of requiring a petition or hearing process before the construction of new open ditches or tile drains or before any changes are made to current drainage systems by neighboring landowners.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED THIRD LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.